



CANNON BUILDING  
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**STATE OF DELAWARE  
REAL ESTATE COMMISSION**

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<b>PUBLIC MEETING MINUTES:</b>	<b>REAL ESTATE COMMISSION</b>
<b>MEETING DATE AND TIME:</b>	<b>Thursday, May 12, 2016 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES FOR APPROVAL</b>	June 9, 2016

**MEMBERS PRESENT**

Jason Giles, Professional Member, Vice Chairman  
Lynnette Scott, Professional Member, Secretary  
Michael Harrington, Sr., Professional Member  
Joseph F. McCann, Public Member  
Lynn Rogers, Public Member

**DIVISION STAFF/ DEPUTY ATTORNEY GENERAL**

Eileen Kelly, Deputy Attorney General  
Sandra Wagner, Administrative Specialist III  
Rain Marrow, Administrative Specialist II

**MEMBERS ABSENT**

Andrew Staton, Professional Member  
Justin Healy, Professional Member, Chairman

**ALSO PRESENT**

Tom Burns, Education Committee Member

**CALL TO ORDER**

Mr. Giles called the meeting to order at 9:11 a.m.

**REVIEW OF MINUTES**

Ms. Scott made a motion, seconded by Mr. Harrington, to approve the minutes of the meeting held on April 14, 2016 as written. By unanimous vote, the motion carried.

**UNFINISHED BUSINESS**

**Title 6 Amendment – New Construction Disclosure Form**

Mr. Harrington made a motion, seconded by Ms. Scott, to table this discussion for the next meeting. By unanimous vote, the motion carried.

**Correspondence from Mr. Haus - Disclosures**

The Commission discussed the letter from Mr. Haus. The Commission stated that they thought Mr. Haus should submit this as a complaint to the investigators, as the Commission does not get into

Buyer/Seller issues and agreements of sale. The Commission updates the disclosure forms but has no plans for further updates at this time.

### **Review and Signing of Orders**

After a review of the orders, Mr. Giles signed orders for the following persons:

Hugh Dugan  
Marguerite Parker  
Amanda Wallis  
Cheryl Rowe

### **NEW BUSINESS**

#### **Education Committee Report**

Mr. Burns reported on the Real Estate Education Committee's meeting. The Education Committee met on May 5, 2016. Mr. Burns stated that Ms. Shirley Kalvinsky presented at the Education Committee's meeting regarding suggested revisions to the Broker's course. Ms. Kalvinsky reported that the same licensure exam is used for the pre-licensing course and broker's course, with the exception that the broker's exam has ten additional questions. Mr. Burns stated that Ms. Kalvinsky would be interested in forming a sub-committee if the Commission would approve so that the broker's course could be revamped. Ms. Kalvinsky would work closely with the Division and Pearson Vue, as they hold a contract and the potential revisions may drastically change the examination for the broker's exam.

Mr. Harrington made a motion, seconded by Ms. Scott to authorize the Education Committee and Ms. Kalvinsky to chair the sub-committee working on the revamping of the broker's course. By unanimous vote, the motion carried.

At the meeting there were 3 approved courses providers, 1 was denied for course outline, 3 approved instructors, and there were 9 student requests, 2 were approved and 6 denied for state specific for MD and 1 approved for only 6 hours.

Mr. Burns stated that Ms. Kalvinsky would like to see module 4 (professionalism) be changed to business planning to broaden out module 4.

Mr. Burns discussed the review and reconsideration of an instructor's application that was previously denied. Mr. Walter Taruaka requested reconsideration for approval to teach the law portion of the pre-licensing course; however Mr. Taruaka does not hold a juris doctorate. The Education Committee denied the reconsideration requested by Mr. Taruaka.

The Education Committee discussed the topics for the annual seminar and thought that role playing some current discipline would be a good idea to add to the seminar but would need to be practiced beforehand. Mr. Burns stated that the Education Committee needed some guidance on the topics that the Commission would like to see discussed at the seminar. Ms. Wagner will add this to the Commission's next agenda.

Mr. Burns discussed correspondence that was submitted to the Education Committee about concerns with a pre-licensing course provider. Ms. Kelly advised the Commission that this letter is on their agenda today for discussion. The Education Committee suggested that there needed to be further investigation done and that firsthand information from students who participated in the particular pre-licensing class needed to be requested in order to move forward. The Commission discussed the concerns and felt the same way the Education Committee did. The Commission discussed a letter that

would require 3 signatures by the course providers and instructors at the time of the first scheduled class. After discussion, Mr. Harrington made a motion, seconded by Mr. Rogers, to authorize Mr. Jason Giles to create this letter. By unanimous vote, the motion carried.

Ms. Kelly reminded the Commission that a letter was already sent to the particular school directly addressing the course provider; however she was not sure that the instructors ever saw the letter and why those things discussed in the letter are still happening. Ms. Kelly will write a new letter and bring it to the Commission to review for the next meeting.

Mr. Harrington brought up the subject of that first letter that was sent out to all course providers. Mr. Harrington wanted to clarify something that was written in the letter about retaking of the examination during the pre-licensing course.

The letter stated "One examination retake in each segment is allowed per student." Mr. Harrington, being a provider himself and getting questions from others, asked Ms. Kelly for clarification of that statement. Some are taking that statement as "only one exam can be given per student." Ms. Kelly explained to Mr. Harrington that the Guideline states one retake, so that would mean a student would be allowed to take the examination again, if they fail the first time. Mr. Harrington thanked Ms. Kelly for the clarification.

The next Education Committee meeting will be June 2, 2016.

#### Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

Mr. Harrington made a motion, seconded by Ms. Scott, to approve to the education approvals submitted by the Education Committee for May. By unanimous vote, the motion carried.

#### Review and Discussion of Consent Agreement for Lonnie Johnson

The Commission reviewed the consent agreement for Mr. Lonnie Johnson. Ms. Kelly read the reasons for the consent agreement. After discussion by the Commission, Ms. Scott made a motion, seconded by Mr. Rogers, to accept the consent agreement. By unanimous vote, the motion carried.

Ms. Kelly asked the Commission for an amendment to the agenda to add the discussion of the sale of vacant land.

Mr. Harrington made a motion, seconded by Ms. Scott to amend the agenda to add the discussion of the sale of vacant land.

#### Sale of Vacant Land Bill 2576

Ms. Wagner passed out an email that was sent to Ms. Kelly from Mr. Andy Taylor, Esq. Mr. Taylor put language together to submit as a Bill. This Bill would be to allow the Commission to address and create a disclosure to be filled out when a person purchases vacant land. After discussion, Mr. Harrington made a motion, seconded by Mr. McCann, to support having 2576 amended for vacant land and to use the revision as written by Mr. Taylor. By unanimous vote, the motion carried.

#### Applications for Licensure

##### Ratification of Salesperson Applications

Mr. Harrington made a motion, seconded by Ms. Scott, to ratify the following applications for salespersons:

Kimberly Simpson, RE/MAX Associates, Hockessin, DE  
Kathleen Carney, RE/MAX Town and Country, West Chester, PA  
David Smith, Coldwell Banker Residential Brokerage, Bethany Beach, DE

Paul Lott, Chester County Regional Realty dba Keller Williams Real Estate, West Chester, PA  
Samantha O'Donnell, Keller Williams Realty, Seaford, DE  
Stephanie Arthurs, Home Team Realty, Seaford, DE  
John Morris, Resort Referral Services, LLC, Rehoboth Beach, DE  
Julie Cicone, Weichert Realtors, Wilmington, DE  
Andra Vale, Keller Williams Realty, Lewes, DE  
Diane Platt, Patterson Schwartz, Middletown, DE  
William Blatzheim, Long & Foster Real Estate, Inc., Bethany Beach, DE  
David Wallace, Delmarva Resorts Realty, Lewes, DE  
Christopher Powell, Long & Foster Real Estate, Inc., Greenville, DE  
Nathaniel McDonald, BHHS Fox & Roach, Hockessin, DE  
David Grube, Patterson Schwartz Real Estate, Hockessin, DE  
Damon King, Keller Williams Realty, Newark, DE  
Bryan Bowles, BHHS Gallo Realty, Rehoboth Beach, DE  
Preston Rice, BHHS Fox & Roach, Hockessin, DE  
Richard Vitale, Patterson Schwartz Real Estate, Rehoboth Beach, DE  
Deysy Ojeda Perez, Home Team Realty, Seaford, DE  
Taylor Webster, Keller Williams Realty, Seaford, DE  
Peter Kramer, Weichert Realtors-First Class, Dover, DE  
Ryan Dill, Patterson Schwartz Real Estate, Newark, DE  
Keilanna Brown, Delmarva Resorts Realty, Lewes, DE  
Henry Clampitt, Patterson Schwartz Real Estate, Hockessin, DE  
Isabel Naranjo, East Coast Realty 1, Georgetown, DE  
Marianne Schall, Ocean Atlantic Sotheby's Intl Realty, Rehoboth Beach, DE  
Marc Ward, Patterson Schwartz Real Estate, Hockessin, DE  
Kimberly Hoffman, Patterson Schwartz Real Estate, Hockessin, DE  
Amarjit Singh, Concord Realty Group, Wilmington, DE  
Lisa Tarantino, Mann & Sons, Inc., Rehoboth Beach, DE  
Shane McCarty, Home Team Realty, Seaford, DE  
Karen Kern, Beach Bound Realty, Dagsboro, DE  
James Ragsdale, Keller Williams Realty, Christiana, DE  
Maureen O'Shea, Harrison Properties LTD, Wilmington, DE  
Kai Somers, Jerry Mueller Real Estate, Inc., Bethany Beach, DE  
Thomas Hauer, Delmarva Resorts Realty, Lewes, DE  
Glenn Bechtold, Jerry Mueller Real Estate, Inc., Bethany Beach, DE  
Samuel Roland, Beiler-Campbell Realtors, Kennett Square, PA  
Francis Clark, RE/MAX Associates, Newark, DE  
Marissa Bowski, Jack Lingo Realtor, Inc., Rehoboth Beach, DE

By unanimous vote, the motion carried.

Review of Salesperson Application

There were no applications to review.

Ratification of Broker and Associate Broker Applications

Mr. Harrington made a motion, seconded by Ms. Scott, to ratify the following applications for broker and associate broker:

Laurie MacDougal, MB Real Estate Services, Inc., Chicago, IL - Broker  
Brian Doreste, Keller Williams Realty, Inc., Wilmington, DE – Associate Broker

Gary Timmes, 21<sup>st</sup> Century Real Estate, LLC, Folsom, PA - Broker  
Thomas Lewis, Redfin Corporation, Conshohocken, PA - Broker

Review of Applications for Broker and Associate Broker

The Commission reviewed the broker application for Chris Panarello. Mr. Panarello submitted a change of broker type application to the Commission. When Mr. Panarello submitted his Pennsylvania licensure history it showed that he had some administrative penalties, so Commission review was needed. After the Commission's discussion, Mr. McCann made a motion, seconded by Mr. Rogers, to approve Mr. Panarello's application for change of broker. By unanimous vote, the motion carried.

The Commission reviewed the broker application for John Gilliland. Mr. Gilliland answered yes to the question on the agenda for administrative penalties received from the State in which he is licensed now. After discussion, Ms. Scott made a motion, seconded by Mr. McCann, to approve the application of Mr. Gilliland for a broker's license. By unanimous vote, the motion carried.

Ratification of Applications for Reinstatement

Mr. Rogers made a motion, seconded by Mr. Harrington, to ratify the following applications by reinstatement:

Amy Jones, 4 Shore Realty, LLC, Dagsboro, DE  
Donna Dilks, Keller Williams Realty, Christiana, DE  
Karen Powell, Delmarva Resorts Realty, Lewes, DE

By unanimous vote, the motion carried.

Review of Applications for Reinstatement

Mr. L. Rogers made a motion, seconded by Ms. Scott, to approve the following reinstatement applications upon successful passing of exam(s):

Lorraine Magazine, Weichert Referral Associates, Morris Plains, NJ – DE Law Exam  
Pauletta Caldwell, Keller Williams Realty, Wilmington, DE – DE Law Exam

By unanimous vote, the motion carried.

Review of Applications for New Office

The Commission reviewed the following office application(s).

Mr. McCann made a motion, seconded by Ms. Scott, to approve the relocation application for Elm Properties. By unanimous vote, the motion carried.

Status of Complaints

Complaint # 02-07-15 - Closed by Investigator  
Complaint # 02-08-16 - Closed by Investigator  
Complaint # 02-03-16 - Closed by Investigator

Correspondence

Request for Suspension to be Lifted – Janis Williams-Shepherd

Ms. Janis Williams-Shepherd was suspended due to a rule to show cause hearing for not complying with continuing education for the 2010-2012 renewal period. The order stated that Ms. Williams-Shepherd's license shall stay suspended until she makes up the missing continuing education and petition the Commission to lift her suspension and reinstate her license. The Commission reviewed the

letter sent in by Ms. Williams-Shepherd along with the continuing education. The Commission found that Ms. Williams-Shepherd was delinquent in Modules for both 2012-2014 and 2014-2016 renewal periods and Module 2 and 4 to make up the sales core and legislative updates from 2010-2012. Mr. Harrington made a motion, seconded by Ms. Scott, to contingent approve the lifting of Ms. Williams-Shepherd's suspension and allow Ms. Williams-Shepherd reinstate her license once she can prove the completion of all modules. By unanimous vote, the motion carried.

Review Correspondence Regarding Concerns with Pre-licensing Course Provider

This was discussed under Education Committee Report.

Letter from Mr. Sean Kilroy

Mr. Kilroy submitted a letter to the Commission stating that he would like to start the educational requirements and to sit for the broker exam with the intention of becoming a broker. Mr. Kilroy has worked directly for a builder over the last 20 years and sold over 500 homes in his career and wanted to ask the Commission to consider these sales in addition to his extensive experience to meet the 30 sale requirement to become a broker. Mr. Kilroy thanked the Commission for their consideration. The Commission discussed Mr. Kilroy's request; however the rules for becoming a broker do not allow for the sales of working for a builder to be used to meet the requirements to become a broker. Mr. Harrington made a motion, seconded by Ms. Scott, to deny the request submitted by Mr. Kilroy. By unanimous vote, the motion carried.

**OTHER BUSINESS BEFORE THE COMMISSION** (for discussion only)

**PUBLIC COMMENT**

There was no public comment.

**NEXT SCHEDULED MEETING**

The next meeting will be held on Thursday, June 9, 2016 at 9:00 a.m.

**ADJOURNMENT**

Mr. Giles made a motion, seconded by Ms. Scott, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:45 a.m.

Respectfully submitted,



Sandra Wagner  
Administrative Specialist III

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*